

Application No.: 10/516,881
Reply dated December 11, 2006
to Office Action of August 10, 2006
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Docket No.: 0033-0964PUS1

REMARKS

Claims 1-12 are pending in the present application. New claims 9-12 have been added.

Priority

The Examiner states that "Acknowledge is made of applicant's claim for foreign priority based on an application filed in Denmark PA 1999 00827 on 06/11/1999."

Applicants respectfully submit that the present invention claims foreign priority based on PCT Application No. PCT/JP03/06969 filed in Japan on 06/02/2003, which claims foreign priority based on Application No. 2002-167097 filed in Japan on 06/07/2002.

Applicants also submit that the NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.492 dated 05/02/2005 clearly states that the priority documents filed on 12/03/2004 have been received.

Specification and Claims

Minor changes have been made to the specification and claims to place them in better form for U.S. practice.

Substitute Specification

The above-noted specification changes are set forth in the attached Substitute Specification. The Substitute Specification does not contain new matter.

A Comparison Specification showing the matter being added to and deleted from the original specification is also submitted herewith.

The Examiner is respectfully requested to approve the Substitute Specification.

Claim Objections

Claims 1, 6, and 8 have been objected to because of some informalities.

These claims have been amended, as suggested by the Examiner, to overcome this objection.

The Examiner is respectfully requested to reconsider and withdraw this objection.

Claim Rejections - 35 U.S.C. § 103

(a) Claims 1-2 and 6-8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hyon (U.S. PGPUB 2002/0077135) in view of Baker (USP 6,546,417). This rejection is respectfully traversed.

With regard to the “second storage portion” of the claimed invention of the present application, the Examiner asserts that, in Hyon, the “storage 18 stores oriental or occidental emotions according to the cultural area of a user” (Paragraph 25), and thus the “second storage portion” reads on the storage 18 of Hyon.

Applicants respectfully submit, however, that, in Hyon, the emotions are prestored in group names as stated in paragraph [0033]. Therefore, from the context of the statements by Hyon, a user may switch among several groups of emotions (e.g., oriental or occidental) or purchase a mobile terminal tailored for the area where the terminal is sold (either one of the oriental and occidental emotions are preinstalled), Hyon does not state that the emotions are not

stored in the storage 18 beforehand and are stored externally by a user as described in page 8, last line - page 9, line 5 of the specification of the present application.

Therefore, Hyon fails to disclose or suggest the “second storage portion” as recited in claim 1.

Baker merely states, in col. 8, lines 26-30 that “icons are stored as small image files . . . and are pointed to by the TYPETABLE data structure. In order to accommodate the use of different size fonts in the mailbox display, means for scaling the size of the icon graphics are also provided.”

Therefore, even assuming that Hyon and Baker can be combined, which Applicants do not admit, one skilled in the art would, at best, conceive a mobile terminal of Hyon having a function of scaling the prestored emotions to accommodate the use of different size fonts.

Hyon and Baker taken singly or in combination fail to disclose or suggest the “second storage portion” as recited in claim 1.

Claim 2, dependent on claim 1, is allowable at least for its dependency on claim 1.

Claims 6-8 are allowable at least for the similar reasons as stated in the foregoing with regard to claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(b) Claims 3-5 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hyon in view of Baker, and further in view of Ostermann et al. (USP 6,990,452). This rejection is respectfully traversed.

Claims 3-5, variously dependent on claim 1, are allowable at least for their dependency on claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

New Claims

New claims 9-12, variously dependent on claim 1, are allowable at least for their dependency on claim 1.

A favorable determination by the Examiner and allowance of these claims is earnestly solicited.

Conclusion

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and objections, and allowance of the pending claims are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Maki Hatsumi (#40,417) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

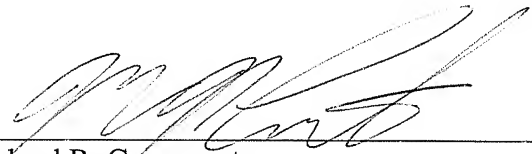
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or to credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: December 11, 2006

Respectfully submitted,

By 
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Attachments: Substitute Specification - 14 pages
Comparison Specification - 14 pages